1 2	PILLSBURY WINTHROP SHAW PITTMA FREDERICK K. LOWELL #66641 BRUCE A. ERICSON #76342	N LLP			
3	ANITA D. STEARNS MAYO #142749 MARC H. AXELBAUM #209855				
4	AUGUST O. STOFFERAHN #229957 50 Fremont Street				
5	Post Office Box 7880 San Francisco, CA 94120-7880				
6	Telephone: (415) 983-1000 Facsimile: (415) 983-1200				
7	Attorneys for Plaintiffs				
8	UNITED STATES DISTRICT COURT				
9	NORTHERN DISTRI	ICT OF CALIFORNIA			
10	SAN FRANCISCO DIVISION				
11		N 07 02100			
12	COMMITTEE ON JOBS CANDIDATE ADVOCACY FUND and BUILDING	No. 07-03199			
13	OWNERS AND MANAGERS ASSOCIATION OF SAN FRANCISCO	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFFS'			
14	INDEPENDENT EXPENDITURE POLITICAL ACTION COMMITTEE,	MOTION FOR PRELIMINARY INJUNCTION			
15	political action committees organized under the laws of California and of the	Date: September 17, 2007			
16	City and County of San Francisco,	Time: 1:30 p.m. Judge: Hon. Jeffrey S. White			
17	Plaintiffs,	Courtroom: 2			
18	VS.	Filed concurrently:			
19	DENNIS J. HERRERA, in his official capacity as City Attorney of the City and	 Motion for Preliminary Injunction Declaration of Nathan Nayman 			
20	County of San Francisco, KAMALA D. HARRIS, in her official capacity as	3. Declaration of Marc L. Intermaggio4. Proposed Order			
21	District Attorney of the City and County of San Francisco, the SAN FRANCISCO				
22	ETHICS COMMISSION of the City and County of San Francisco, and CITY AND				
23	COUNTY OF SAN FRANCISCO,				
24	Defendants.				
25					
26					
27					
28					

1 Plaintiffs COMMITTEE ON JOBS CANDIDATE ADVOCACY FUND and

2 BUILDING OWNERS AND MANAGERS ASSOCIATION OF SAN FRANCISCO

3 INDEPENDENT EXPENDITURE POLITICAL ACTION COMMITTEE

- ("Plaintiffs") hereby request that the Court take judicial notice of the documents described 4
- 5 below and attached hereto as Exhibits A through J. This request is made pursuant to
- 6 Rule 201 of the Federal Rules of Evidence and the authorities cited below. This request is
- made in connection with Plaintiffs' Motion for Preliminary Injunction, filed concurrently 7
- 8 herewith.

9	Exhibit	Description
10 11	A	San Francisco Ethics Commission, <i>Proponent's Argument in Favor of Proposition O</i> , in City and County of San Francisco Voter Information Pamphlet and Sample Ballot for November 7, 2000 Consolidated
		Presidential General Election
12 13	В	San Francisco Ethics Commission, Regulations to Campaign Finance Reform Ordinance
14	С	San Francisco Campaign and Government Conduct Code, Sections 1.100 through 1.178
15	D	Oakland Municipal Code, Chapter 3.12
16	E	Temporary Restraining Order dated October 19, 2006 in <i>OakPAC</i> , et al. v. City of Oakland, et al., Docket # 21, Case No. C06-6366 (N.D. Cal.)
17	F	Stipulated Stay Order dated December 18, 2006, OakPAC et al v. City of Oakland et al., Docket # 32, Case No. 3:06-cv-06366-MJJ (N.D. Cal.)
18 19	G	Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendants' Motion for Summary Judgment dated September 20, 2006 in San Jose Silicon Valley Chamber of Commerce Political Action Committee,
20		et. al. v. City of San Jose, et al., Docket # 46, Case No. C06-04252 (N.D. Cal.)
21	Н	Preliminary Injunction dated September 8, 1999 in San Franciscans for Sensible Government, et al. v. Renne, et al., Case No. 99-02456 (N.D. Cal.)
22	I	Order on appeal dated October 20, 1999 in San Franciscans for Sensible Government, et al. v. Renne, et al., No. 99-16995, Case No. 99-02456 (9th
23		Cir.)
24	J	Stipulated Judgment dated June 29, 2000 in San Franciscans for Sensible Government, et al. v. Renne, et al., Case No. 99-02456 (N.D. Cal.)
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1	BASIS FOR REQUESTING JUDICIAL NOTICE		
2	Courts may take judicial notice of agency action where the action is officially		
3	published. <i>Kitty Hawk Aircargo, Inc. v. Chao</i> , 418 F.3d 453, 457 & fn. 9 (5th Cir. 2005).		
4	Exhibits A and B are officially published statements and regulations of the San Francisco		
5	Ethics Commission.		
6	Courts may also take judicial notice of city ordinances. Santa Monica Food Not		
7	Bombs v. City of San Diego, 450 F.3d 1022, 1025, fn. 2 (9th Cir. 2006). Exhibits C and D		
8	are municipal ordinances of San Francisco and Oakland, respectively.		
9	Courts may also take judicial notice of proceedings in other courts. Fed. R. Evid.		
10	201(d); U.S. ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc., 971 F.2d 244,		
11	248 (9th Cir. 1992) (citing St. Louis Baptist Temple, Inc. v. FDIC, 605 F.2d 1169 (10th Cir		
12	1979)) ("[W]e 'may take notice of proceedings in other courts, both within and without the		
13	federal judicial system, if those proceedings have a direct relation to matters at issue."").		
14	Exhibits E through J are orders from courts in this district regarding First Amendment		
15	challenges to campaign finance ordinances.		
16	For the foregoing reasons, Exhibits A through J may properly be considered by the		
17	Court in ruling on Plaintiffs' Motion for Preliminary Injunction.		
18	Dated: August 10, 2007.		
19	PILLSBURY WINTHROP SHAW PITTMAN LLP		
20	FREDERICK K. LOWELL BRUCE A. ERICSON		
21	ANITA D. STEARNS MAYO MARC H. AXELBAUM		
22	AUGUST O. STOFFERAHN 50 Fremont Street		
23	Post Office Box 7880 San Francisco, CA 94120-7880		
24	San Taneisco, CA 74120 7000		
25	By /s/ Bruce A. Ericson Bruce A. Ericson		
26	Attorneys for Plaintiffs		
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